

Applicants: Hermona Soreq et al.  
Serial No.: 09/998,042  
Filed: November 30, 2001  
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**REMARKS**

Claims 1-3 and 5-10 are pending in the subject application. Applicants have hereinabove amended claims 1-3 and 5-10. Applicants contend that these amendments are fully supported by the subject specification and do not involve any issue of new matter. Therefore, entry of this Amendment is respectfully requested such that claims 1-3 and 5-10 will be pending and under examination.

In view of the arguments and amendments set forth below, applicants maintain that the Examiner's rejections have been overcome and respectfully request that the Examiner reconsider and withdraw same.

**Claim Rejection Under 35 U.S.C. §112, Second Paragraph**

The Examiner rejected claims 5 and 6 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

The Examiner stated that the claims are unclear as to how they can be isolated from the same source yet be structurally different, i.e. linear versus cyclic, without method steps for modifying the structure from linear to cyclic or cyclic to linear.

In response, applicants respectfully traverse the Examiner's above rejection. Nevertheless, applicants without conceding the correctness of the Examiner's position but to expedite prosecution of the subject application have hereinabove amended

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claims 5 and 6 such that they no longer recite the term "isolated" and claim instead a synthetic peptide, which can be produced as either a linear peptide or a circular peptide based on the teachings set forth in the subject specification (see, e.g. page 33 of the subject specification).

In view of the above remarks, applicants contend that claims 5 and 6 satisfy the requirements of 35 U.S.C. §112, second paragraph. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection.

**Claim Rejection Under 35 U.S.C. §102(e)**

The Examiner rejected claims 1-3 and 5-10 under 35 U.S.C. §102(e) as allegedly being anticipated by Soreq et al. (U.S. 6,258,780 B1). The Examiner stated that Soreq et al. teaches the same sequence for the ACHE-I4 readthrough comprising the twenty six I4 amino acid residues as currently claimed.

In response, applicants respectfully traverse the Examiner's above rejection. Nevertheless, applicants without conceding the correctness of the Examiner's position but to expedite prosecution of the subject application have hereinabove amended claims 1-3, 5 and 6 such that they no longer recite the term "comprising" and recites instead "consisting of".

In view of the above remarks, applicants contend that claims 1-3 and 5-10 satisfy the requirements of 35 U.S.C. §102(e). Accordingly, applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection.

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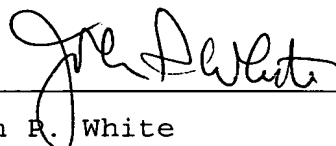
**Summary**

For the reasons set forth hereinabove, applicants respectfully request that the Examiner reconsider and withdraw the various grounds of rejection and earnestly solicit allowance of pending claims 1-3 and 5-10.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

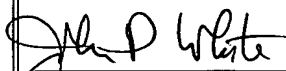
No fee, other than the \$225.00 fee for a two-month extension of time, is deemed necessary in connection with the filing of this Amendment. If any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 6/6/05  
John P. White Date  
Reg. No. 28,678